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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,329	06/22/2001	Jeff Davison	10491-I	9215
30076	7590	09/09/2005	EXAMINER	
BROWN RAYSMAN MILLSTEIN FELDER & STEINER, LLP 1880 CENTURY PARK EAST 12TH FLOOR LOS ANGELES, CA 90067				BASEHOAR, ADAM L
		ART UNIT		PAPER NUMBER
		2178		

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/888,329	DAVISON, JEFF	
	<b>Examiner</b>	<b>Art Unit</b>	
	Adam L. Basehoar	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A. SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 June 2005.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. This action is responsive to communications: The Amendment filed 06/20/05 to the original Application filed on 06/22/01.
2. Claim 3 remains rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The rejection of Claims 1, 3-7, 9-27 under 35 U.S.C. 102(a) as being anticipated by Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 have been withdrawn as necessitated by Amendment.
4. Claims 1-27 are pending in this case. Claim 1 is an independent claim.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim is viewed as being indefinite as it pertains to the terminology "other processing." It is unclear for the purposes of examination what scope and limitations "other processing" encompasses. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-7, 9-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20.

-In regard to independent claim 1, FrontPage teaches a method for processing a markup language file having portions comprising;

downloading a first markup language file (pp. 3: Open File: "File Name") using HTTP (i.e. the standard protocol for moving hypertext files across the Internet) and referencing the first markup file (pp.4: Normal View) by the URL or the name of the local file on the user system (pp.4: "http://wombat.doc.ic.ac.uk/foldoc/");

parsing the first markup language file for one or more portions (pp. 6); and

storing each portion of the file into a directory structure (pp. 6) containing folders (pp. 6: "C:\WINNT\Profiles..."), subfolders (pp. 6: "\_private", "images", etc), and files (pp.6: "discuss.html", "members.htm", etc), complying with the structure of the first file (pp.6).

FrontPage further teaches displaying the tag names of each of the elements of the selected first markup language file (pp. 4: "body", "center", "form", "p", etc). FrontPage also teach wherein a folder could depend on tag names in the markup language file (pp.6: i.e. "images" folder depends on image tags of images in the associated markup language file). FrontPage does not specifically teach each of the folders and subfolders depend from the tag names in the

markup language file. It would have been obvious to one of ordinary skill in the art at the time of the invention for the folders and subfolders of first markup language file in FrontPage (pp. 6) to have depended on the tag names file (pp. 4: "body", "center", "form", "p", etc) of the markup language file, because FrontPage teaches that by doing so there was a visual correlation between the folders and their related contents (i.e. The image folder depends on the images of the related document and provides a visual cue to the user as to the contents of the folder and its relation to the markup file).

-In regard to dependent claim 3-7, 9-22, and 27, FrontPage teaches a command language set comprising:

- listing the contents of a folder (pp.6: i.e. opening the file shows a listing of its contents)
- changing folders and syntax for designating subfolders of folders (pp.6: i.e. opening different folders and changing the syntax by clicking the "+" or "-" to open or close a folder)
- listing the contents of a file (pp.7: i.e. opening the file and listing the contents in the display window)
- selection and viewing of objects (pp. 6 & 7: i.e. viewing selectable files and folders)
- listing the attributes of a hypertext markup language tag (pp. 5: i.e. listing the "HTML" view of a file)
  - treating the contents of a file as a local variable when a directory pathname for the file is referenced (pp. 7: i.e. "members.htm" file and contents are downloaded and thus local variables to the client)

-treating an attribute of a file as a local variable when a directory pathname is referenced

(pp. 5: i.e. file and attribute contents are downloaded and thus local variables to the client)

-making new folders in the directory structure (pp. 8: “New Folder”)

-making new files in the directory structure (pp. 9: “New Page”)

-copying folders in the directory structure (pp. 10: “Copy”)

-recursively copying folders in the directory structure (pp. 18: “images\_copy(1)” & “images\_copy(2)”)

-copying files in the directory structure (pp.11: “Copy”)

-recursively copying files in the directory structure (pp. 18: “search\_copy(1)” & “search\_copy(2)”)

-renaming folders in a directory structure (pp. 12: “Rename”)

-renaming files in a directory structure (pp. 13: “Rename”)

-creating new files through redirection of an output command (pp. 9: “New Page”)

-setting a file value (pp. 14: i.e. File Renaming or Title Changing)

-saving the modified file to disk (pp. 15: “Save” or “Save As”)

-outputting the modified file to a standard output (pp. 16: “Print”)

-creating HTML documents containing references to tag variables (pp. 19: i.e. downloaded HTML website), allowing insertion into a markup document the contents of a file from a second markup language document (pp. 20: i.e. Allowed for the insertion of file “search.htm” into the first HTML document).

-In regard to dependent claims 23-26, FrontPage teaches where said command language set allows creation of a batch file containing a subset of commands (pp. 17: “Publish to Web” or “Preview in Browser”: i.e. Publishing or Previewing a folder creates a file that executes a subset of commands to execute the publishing or previewing to all files in the folder) and defining local variables for processing in conjunction with variables and attributes of the files (pp. 14: i.e. File Renaming or Title Changing & Fig. 5: Variables & Attributes one of the files). FrontPage also teaches comprising a command for loop processing (pp. 17: i.e. Publish to Web commands open-looped processing of all the files selected to be published) and jumping to a new location within the file and resuming execution at a new location via the inner file links (pp. 4: Links “More help”, “Missing terms”, etc.)

-In regard to dependent claim 2, FrontPage teaches wherein the MakeAbs Method can be used to convert relative uniform resource locations into absolute uniform resource locations (“Converting Relative and Absolute URL’s,” pp.1-2 <http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp>). FrontPage doesn’t teach wherein the conversion was done automatically. It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have converted all relative URLs to absolute URLs, because FrontPage teaches that the recommended addressing for FrontPage was absolute addressing (“Converting Relative and Absolute URL’s,” pp. 1-2 <http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp>).

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9. Claim 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in view of Leblang et al (US-5,574,898 11/12/96).

-In regard to dependent claim 8, FrontPage does not teach wherein its “Open” command in the command set includes adding wildcards in the pathname. Leblang et al teaches wherein adding wildcards to pathnames was well known in the art at the time of the invention (column 11, 18-20). It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have allowed wildcards in any “Open” pathname, because Leblang et al teaches wherein wildcards in pathnames allow for the matching of many similar names and would thus allow the finding and opening of files that would generally be of the same type or related in some fashion.

#### *Response to Arguments*

10. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

-In regard to the 112 rejection applied to claim 3, the Examiner notes that the term “other processing” still exists in the second line of the claim. While one instance of “other processing” was removed from the claim the other instance still exists.

#### *Conclusion*

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-6,785,673                    08-2004                    Fernandez et al.

US-2002/0065814                05-2002                    Okamoto et a.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ALB

STEPHEN HONG  
ADVISORY PATENT EXAMINER